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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1938-1971

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November 5, 2004

## FACSIMILE COVER SHEET

To: Examiner John M. Hotaling  
Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

Fax: 703-872-9306

Enclosures:

Fax Cover Sheet containing Certificate of  
Facsimile Transmission (1 page)  
Transmittal containing Certificate of  
Facsimile Transmission and Authorization  
to Charge Deposit Account 23-3000 in the  
amount of \$490.00 for the Three-Month  
Extension of Time Fee (2 pages)  
Amendment and Response containing  
Certificate of Facsimile Transmission  
(17 pages)

From: Douglas A. Scholer  
Reg. No. 52,1973

Re: U.S. Patent Application  
Serial No. 09/834,529  
Filed: April 13, 2001  
Applicant: Ach  
Art Unit: 3713  
Confirmation No.: 4021  
Our Ref: LOTC/32

Pages: 20 (including cover sheet)

MESSAGE/COMMENTS  
OFFICIALCERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and the enclosures noted herein (20 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner John M. Hotaling, Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 703-872-9306 on November 5, 2004.

*Judith L. Volk*  
Judith L. Volk

*November 5, 2004*  
Date

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**PATENT**  
Att'y Docket No. LOTC/32/262  
Confirmation No. 4021

### **CERTIFICATE OF FACSIMILE TRANSMISSION**

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Judith L. Volk  
Judith L. Volk

November 5, 2004  
Date

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ach	Art Unit: 3713
Serial No.: 09/834,529	Examiner: John M. Hotaling
Filed : April 13, 2001	
For : NUMERICAL RATING METHOD, PROGRAM PRODUCT AND APPARATUS	

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### **AMENDMENT TRANSMITTAL**

1. ☒ Transmitted herewith is an Amendment and Response.
2. ☒ Small Entity status of this application has been previously requested and is still appropriate.
  - ☐ Enclosed is a verified statement to establish Small Entity status
  - ☐ Other than a Small Entity
3. The fee has been calculated as shown below:

#### **CALCULATION OF FEES**

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	85	minus	85	0	\$9	\$0.00
Independent Claims	5	minus	5	0	\$44	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$300	\$0.00
<b>TOTAL FEE FOR CLAIMS:</b>						<b>\$0.00</b>

- ☒ No additional fee for claims is required.

Page 1 of 2  
Serial No. 09/834,529  
Transmittal for Amendment of November 5, 2004  
WH&E LOTC/32

4. ☐ Attached is a check in the sum of \$\_\_\_\_\_ for additional claims.  
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.
5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

- ☒ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 430.00	\$ 215.00
<input checked="" type="checkbox"/>	three months	\$ 980.00	\$ 490.00
<input type="checkbox"/>	four months	\$1,530.00	\$ 765.00
<input type="checkbox"/>	five months	\$2,080.00	\$1,045.00

Extension fee due with this request:

\$ 490.00

Method of Payment: Charge Deposit Account 23-3000 in the amount of \$ 490.00

If an additional extension of time is required, please consider this a petition therefor.

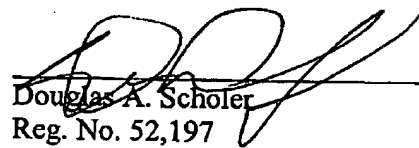
(Check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_.
- OR**
- ☐ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:

  
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**Enclosed:**

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